

FILED

OCT 31 2007

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

'07 MJ2578

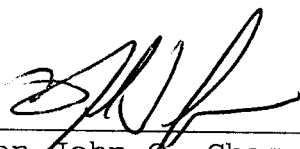
UNITED STATES OF AMERICA)
)
 V.)
)
 VICTOR CAPERON)
)
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Magistrate Case No.
COMPLAINT FOR VIOLATION OF
Title 18, United States Code
Section 751(a) and 4082(a) -
ESCAPE FROM FEDERAL CUSTODY

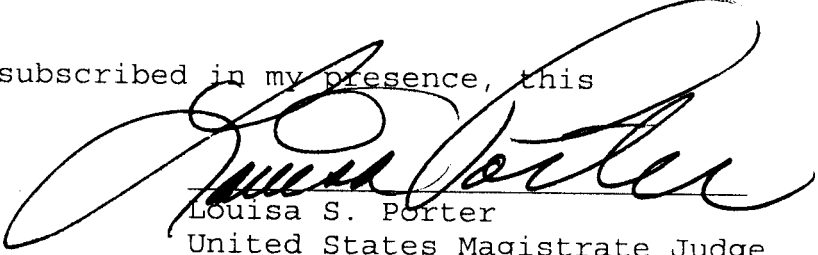
The undersigned complainant, being duly sworn states:

That on or about October 20, 2007, at San Diego, California, in the Southern District of California, VICTOR CAPERON did unlawfully and willfully escape from an institution in which he was confined by direction of the Attorney General, to wit: Correctional Alternatives Inc. Community Based Re-Entry and Work Furlough Program, San Diego, California, a federally contracted facility, said custody and confinement by virtue of his conviction for Importation of Marijuana (Title 21 USC 952 and 960), in violation of Title 18 USC 751(a) and 4082(a).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


Steven John G. Chaco
Deputy United States Marshal

Sworn to before me, and subscribed in my presence, this
day of October 31, 2007.


Louisa S. Porter
United States Magistrate Judge

STATEMENT OF FACTS

1. On November 23, 2006, VICTOR MANUEL CAPERON was arrested by the U.S. Customs and Border Protection at the San Ysidro Point of Entry and charged with Importation of Marijuana.
2. On March 23, 2007, VICTOR MANUEL CAPERON plead guilty to the offense of Importation of Marijuana before the Honorable Dana M. Sabraw, U.S. District Judge, as evidenced by Judgment in a Criminal Case, Docket Number 06CR2686-DMS.
3. On March 23, 2007, VICTOR MANUEL CAPERON was sentenced to serve a custody term of twelve (12) months by the Honorable Dana M. Sabraw, U.S. District Judge, as evidenced by Judgment in a Criminal Case, Docket Number 06CR2686-DMS.
4. VICTOR MANUEL CAPERON has a statutory release date of November 23, 2007, as evidenced by the U.S. Bureau of Prisons Sentence Monitoring Computation Data.
5. On October 19, 2007, VICTOR MANUEL CAPERON was transferred by the U.S. Bureau of Prisons (BOP) from Federal Correctional Institution Victorville to the Correctional Alternatives Inc., a federally contracted facility in San Diego, California.
6. On October 20, 2007, at 12:20pm, VICTOR MANUEL CAPERON signed out of the Correctional Alternatives Inc. (CAI) on a day pass. He was instructed to return to the facility no later than 4:00pm that same day.
7. On October 20, 2007, at approx. 7:00pm, a count of inmates was taken by staff of CAI and noted that VICTOR MANUEL CAPERON had not yet returned to the facility as instructed. CAI staff telephoned the local hospitals, detention centers, and known emergency contacts. None of the calls produced information as to his whereabouts.
8. On October 20, 2007, at approx. 9:00pm, the U.S. Bureau of Prisons reported VICTOR MANUEL CAPERON on escape status. BOP and CAI staff exhausted all resources to locate him. The U.S. Marshals Service and the Federal Bureau of Investigations were then advised.